

ORDER FOR SUPPLIES OR SERVICES

IMPORTANT: Mark all packages and papers with contract or order numbers

PAGE OF PAGES

1 2

1 DATE OF ORDER
08/27/2013

2 CONTRACT NO. (If any)
EP-S4-09-03

6 SHIP TO

a NAME OF CONSIGNEE

Region 4 - Barbara Dobson

b STREET ADDRESS
US Environmental Protection Agency
Atlanta Federal Center
61 Forsyth Street, SW

c CITY
Atlanta

d STATE
GA

e ZIP CODE
30303

f SHIP VIA

8 TYPE OF ORDER

a PURCHASE
REFERENCE YOUR

X b DELIVERY

Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract

Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated

g CITY
Lakewood

h STATE
CO

i ZIP CODE
80228-1552

9 ACCOUNTING AND APPROPRIATION DATA
See Schedule

10 REQUISITIONING OFFICE
R4 Acquisition Management Section

11 BUSINESS CLASSIFICATION (Check appropriate box(es))

X a SMALL

b OTHER THAN SMALL

X c DISADVANTAGED

X d WOMEN-OWNED

e HUBZone

12 FOB POINT

Destination

f SERVICE-DISABLED
VETERAN-OWNED

g WOMEN-OWNED SMALL BUSINESS (WOSB)
ELIGIBLE UNDER THE WOSB PROGRAM

h EDWOSB

13 PLACE OF

14 GOVERNMENT B/L NO

15 DELIVER TO FOB POINT
ON OR BEFORE (Date)
09/28/2014

16 DISCOUNT TERMS

a INSPECTION
Destination

b ACCEPTANCE
Destination

17. SCHEDULE (See reverse for Rejections)

ITEM NO (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	DUNS Number: 825211824 TOPO: BARBARA D. DOBSON Max Expire Date: 09/28/2014					
	Continued ...					

18. SHIPPING POINT

19 GROSS SHIPPING WEIGHT

20 INVOICE NO

21 MAIL INVOICE TO

a NAME

RTP Finance Center

\$350,140.58

b STREET ADDRESS
(or P.O. Box)

US Environmental Protection Agency
RTP-Finance Center
Mail Drop D143-02
109 TW Alexander Drive

\$350,140.58

c CITY

Durham

d STATE
NC

e ZIP CODE
27711

17(h)
TOTAL
(Cont
pages)

17(i)
GRAND
TOTAL

22 UNITED STATES OF
AMERICA BY (Signature)

Kimberly Washington

23 NAME (Typed)

Kimberly Washington
TITLE: CONTRACTING/ORDERING OFFICER

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION NOT USABLE

OPTIONAL FORM 347 (Rev. 2-01-01)
Prescribed by GSA FAR 48 CFR 53.213-1

SCHEDULE - CONTINUATION

2

IMPORTANT: Mark all packages and papers with contract and/or numbers

DATE OF ORDER
08/27/2013

CONTRACT NO
EP-S4-09-03

ORDER NO
0079

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
0001	<p>Admin Office: Region 4 US Environmental Protection Agency Atlanta Federal Center 61 Forsyth Street, SW Atlanta GA 30303-3104</p> <p>Period of Performance: 09/29/2012 to 09/28/2014</p> <p>This task order provides the initial funding for PRP Search activities for Multiple Superfund Sites. See attached Performance Work Statement.</p> <p>Accounting Info: 13-T-04D-501EC7-2505-C001-1304DK3026-0 01 BFY: 13 Fund: T Budget Org: 04D Program (PRC): 501EC7 Budget (BOC): 2505 Job #: 04WQQV00 Cost: C001 DCN - Line ID: 1304DK3026-001 Funding Flag: Partial Funded: \$350,140.58</p> <p>The obligated amount of award: \$350,140.58. The total for this award is shown in box 17(i).</p>				350,140.58	
TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))					\$350,140.58	

PERFORMANCE WORK STATEMENT

U.S. ENVIRONMENTAL PROTECTION AGENCY ENFORCEMENT SUPPORT SERVICES IV CONTRACT EP-S4-09-03

Potentially Responsible Party (PRP) Searches for Multiple Superfund Sites

- 1) Smokey Mountain Smelters, Knoxville, TN, Spill ID Number: A4MD
- 2) Walker Machine Products, Inc., Collierville, TN, Spill ID Number: B4X8
- 3) Fairfax St. Wood Treathers, Jacksonville, FL, Spill ID Number: B4B5
- 4) U.S. Rubber Reclaiming, Vicksburg, MS, Spill ID Number: B4H7
- 5) Copper Basin Mining District, Polk County, TN, Spill ID Number: A485
- 6) ESB, Inc., Atlanta, GA, Spill ID Number: A4AB
- 7) Northeast Lagoon, Gainesville, Florida, Spill ID Number: B4Y9
- 8) American Creosote Works, Inc., Louisville, Mississippi Spill ID Number: 04F2
- 9) Hi-Temp Site, Humboldt Tennessee, Spill ID Number: B42D
- 10) Pender Plating, Burgaw, North Carolina, Spill ID Number: B4T3

Task Order No.: 0079

August 14, 2013

INTRODUCTION

PURPOSE

The purpose of this task order is to conduct Potentially Responsible Party (PRP) Searches at the Superfund Sites listed above. To determine if PRPs exist and if they are financially viable. This Performance Work Statement (PWS) sets forth the framework and requirements for this task order. The goal of the task order is to gather evidentiary information, both with regard to liability and viability, on PRPs for use in Superfund enforcement actions. **The estimated completion date for this task order is 12 months upon receipt of the task order.**

The contractor is advised that the initial tasking is for the preparation of a baseline PRP Search and a subsequent modification to the task order will be considered for additional activities upon approval of the staffing plan or baseline PRP Search.

SITE DESCRIPTION – Smokey Mountain Smelters, Knoxville, Tennessee, Spill ID # A4MD

Smokey Mountain Smelters (the facility) is located at 1508 Maryville Pike in Knoxville, Tennessee. The facility encompasses approximately 15 acres. In 1979, Smokey Mountain Smelters began recycling aluminum from industrial from industrial sources and discontinued operations in 1994. Prior to 1979, various companies conducted

agricultural activities starting in 1928. The current site consists of a drum reconditioning area, a dredge and fill pond, an unlined surface impoundment, a sulfur storage tank, a pesticide storage warehouse, a granular warehouse, a fertilizer plant, a herbicide building, a specialty products warehouse, a pesticide blending plant, and an acid plant.

SITE DESCRIPTION –Walker Machine Products, Inc., Collierville, TN, Spill ID # B4X8

The Walker Machine Products site is located at 459 Washington Street in Collierville, Tennessee. Walker operated from about 1953 to 2002 and produced automated machine screw products and used mineral spirits to clean the finished products. According to a 1987 TDEC inspection report, Walker may have disposed of waste into the ground. The facility is currently occupied by Langley Wire Cloth Products, which makes filters from wire cloth. Langley conducted a Phase I & II study prior to the property purchase in 2005.

SITE DESCRIPTION –Fairfax Street Wood Treaters, Jacksonville, Florida, Spill ID # B4B5

The Fairfax Street Wood Treater site is a chromate copper arsenate (CCA) wood treatment facility located in a residential neighborhood in Jacksonville, Florida. Process and raw materials are located in seven above ground storage tanks measuring approximately 120,000 gallons. The owners are currently involved in bankruptcy proceedings and EPA is working with the Trustee on access issues.

SITE DESCRIPTION –U.S. Rubber Reclaiming, Vicksburg, Mississippi, Spill ID # B4H7

The U.S. Rubber Reclaiming site consists of a former rubber reclamation facility located in Vicksburg, Mississippi. MDEQ requested EPA's assistance in mitigating hazards associated with uncontrolled hazardous substances, stored in over fifty (50) drums and two above ground storage tanks.

SITE DESCRIPTION - Copper Basin Mining District, Polk County, Tennessee, Spill ID # A485

The Copper Basin Site consists of approximately 30 miles of land in Polk County, Tennessee. Extensive former copper and sulfur mining operations began at the site in the early 1800's. Mining continued at the site for more than 150 years. Mining operations ceased in 1987, and sulfuric acid production was discontinued in 2000.

SITE DESCRIPTION – ESB Inc., Atlanta, Georgia, Spill ID # A4AB

The ESB site is a defunct manufacturer of lead-acid automotive batteries located in Atlanta, Georgia. The company began manufacturing automotive batteries in 1948. In the later years ESB revamped its operations to include charging, packaging, and distributing automotive batteries. In 1982, ESB Inc. changed its name to Exide

Incorporated (Exide) and is currently owned by Exide Corporation of Horsham, Pennsylvania.

**SITE DESCRIPTION - Northeast Lagoon (Cabot-Koppers), Gainesville, Florida
Spill ID # B4Y9**

The Northeast Lagoon was a man-made structure, constructed prior to 1937 on railroad property situated northeast of the Cabot Carbon location. The Lagoon presumably had a function related to railroad activities. A common practice for coal or wood-fired railroads at that time was to extinguish the locomotives' fire at the end of a run by dropping the ashes into a water-filled pit. Insofar as the Northeast Lagoon's location coincides with the northern terminus of the railroad line, routine use of the lagoon as a receptacle for locomotive firebox waste is inferred. The lagoon was filled and graded during the 1960's.

**SITE DESCRIPTION - American Creosote Works, Inc., Louisville, Mississippi,
Spill ID # 04F2**

American Creosote Site granted a right-of-Way over Tracts 1 and 3 to the New Orleans Mobile & Chicago R.R. Company. This right of way allowed the railroad to operate on land adjacent to eleven railroad tracts on part of the property, though the tracts were to be solely for the private use of the American Creosote Works creosoting plant.

SITE DESCRIPTION - Hi-Temp Site, Humboldt, Tennessee, Spill ID # B42D

The Hi-Temp Site is an abandoned facility in a dense residential neighborhood in Gibson County, Tennessee. The facility made ceramic for the metal casting business but closed in 2007. TDEC notified EPA that numerous containers of hydrogen peroxide, sodium hydroxide, and several drums of unknown material were abandoned. The facility is unsecured and being used by parties who are dumping waste on the property.

SITE DESCRIPTION - Pender Plating, Burgaw, North Carolina, Spill ID # B4T3

Pender Plating is a electroplating facility located in Burgaw, North Carolina. The site is contaminated with high concentrations of spent rinse waters and cleaning solvents from the plating operations. Dissolved metals such as chrome, cadmium, nickel are suspected to be above concentrations in various parts of the facility and may be corrosive.

Project planning and Scoping Meeting

This work element involves planning for the execution and overall management of this task order. The technical and managerial activities required to develop the baseline PRP Search and the associated costs shall be developed during the planning phase and detailed in the staffing plan and cost estimate.

STAFFING PLAN

Prepare and submit a staffing plan that includes a detailed description of the task's activities, performance monitoring, and overall management strategy. Typical activities involved in preparing the staffing plan include, but are not limited to the following:

- Contacting the Task Order Monitor (TOM) within five (5) calendar days after receipt of the task order to schedule the scoping meeting to be held at the U.S. EPA Region 4 Office in Atlanta, Georgia.
- Preparing and submitting a final staffing plan within 15 business days after the scoping meeting and/or site visit. The staffing plan shall include a detailed description of the technical approach for the baseline PRP Search activities in accordance with the Task Order.
- Preparing the estimated cost to complete the Task Order, including subcontractor costs.
- Negotiating and preparing a revised staffing plan if the contractor fails to meet the Region's minimum standards. Note that EPA does not anticipate need to re-negotiate with the contractor nor require the contractor to revise the staffing plan.

Project Management and Reporting

PROJECT MANAGEMENT

Perform activities required to effectively manage the task order. These activities include, but are not limited to the following:

- Monitoring cost and progress
- Preparing and submitting monthly progress reports that document monthly and cumulative cost, performance status and technical progress
- Preparing and submitting monthly invoices in accordance with the level of detail as specified in the contract
- Participating in meetings, preparing and submitting meeting summaries
- Reviewing background documents as directed by EPA

TASK 2 ENFORCEMENT SUPPORT TASKS

The Contractor shall perform the following baseline PRP Search activities:

1. PRP Liability Compilation – The contractor shall perform a review of the previous owner/operators, updating information as necessary and compile a PRP List;
2. Financial Research – The contractor shall conduct an ability-to-pay analysis as

- necessary for the identified PRP's;
3. Prepare PRP Identification Database and Contact Log – The contractor shall create and/or maintain a commercial off-the-shelf database containing contract information for target parties (as defined by the task order manager, including verified mailing address, name and address of Registered Agent, phone number and mailing and tracking information);
 4. Update Title Documents
 - a. obtain specific updated title documents and/or parcel maps;
 - b. conduct review of the title search from the first industrial use and obtain updated documents for this period that indicate current and/or present owner, lessors, and lessees;
 - c. review and analyze all title documents in order to determine the ownership and condition of title during period of operation (this may also include the preparation of title tree diagrams and accompanying narrative report);
 - d. provide updated copies of title documents and a memorandum discussing conclusions of title analysis
 5. Prepare PRP Search Report.

2.4 Close-Out Memorandum Support

The contractor shall perform the necessary activities to close out the task order in accordance with the contract requirements. Typical activities include, but are not limited to the following:

- Packaging and returning to documents to the government
- Preparing the closeout report in accordance with Regional guidance and other procedures as specified in the Task Order

PLACE OF PERFORMANCE

The work shall be performed at the Contractor's site. Meetings shall be held in Region 4 Office or at the Contractor's office.

PERFORMANCE MEASURES AND EXPECTATION

Performance Measures

- a) Clarity
- b) Completeness
- c) Cost
- d) Quality
- e) Timeliness

Performance Expectations

- Clarity – The Contractor's deliverables must be concise and to the point so that

the results of the PRP Search are understandable

- Completeness – The Contractor shall capture 100% of the data elements required by the baseline PRP Search
- Cost – The Contractor’s costs must not exceed the approved Task Order budget for this Task Order. EPA directed work plan modification would result in the Contractor’s revised staffing plan
- Quality – The deliverable encompass to all Task Order specifications and does not require significant revision(s) due to EPA’s Tom finding error(s) or omission(s)
- Timeliness – 95% of all deliverables are received on time in accordance with the due date of the deliverable

REPORTING

The contractor shall follow the requirements in the contract PWS for preparation of the monthly progress and financial reports (MPR). Inclusive of the MPR requirements are reporting of the technical progress, deliverable status, financial status (cost and fees) and task order issues.

The contractor shall receive, on a monthly basis, feedback of task order monitor (TOM) performance reviews. In the event that questions are raised during the monthly review process that requires additional information/support documentation, the contractor shall respond in writing to the TOM with a cc: to the project officer (PO).

SCHEDULE OF DELIVERABLES

The contractor shall perform/submit the following tasks and deliverables at the timeframe specified below:

<u>Deliverable</u>	<u>Due Date</u>
Staffing Plan	15 days after receipt of Task Order
PRP Liability Compilation	5 weeks from staffing plan approval
Financial Research	TBD
PRP Identification Database & Contact Log.....	16 weeks from staffing plan approval
Title Search Report.....	12 weeks from staffing plan approval
PRP Search Report	24 weeks from staffing plan approval
Close-Out Report.....	32 weeks from staffing plan approval

ANTICIPATED TRAVEL REQUIREMENTS

The contractor will be required to travel to the EPA Regional office in Atlanta, Georgia to retrieve and/or review EPA files. The contractor will be needed to travel or subcontract work.

CONTACT

Blake Sterling
Task Order Monitor
Environmental Protection Agency
Superfund Enforcement & Information Management Branch
61 Forsyth Street, SW
Atlanta, Georgia 30303
404-562-8852 office
404-562-8842 fax

TOEROEK ASSOCIATES, INC.

STAFFING PLAN

Customer EPA Region 4
 Prime Contract Master EP-S4-09-03
 Task Order #079
 Description PRP Multi-Site - ESB, Inc. Superfund Site
 Period of Performance 9/29/12 - 9/28/14

TOTAL	
<u>Labor Category</u>	<u>Rate Hours Costs</u>
Senior Attorney	(b)(4) CBI
Mid Level Attorney	(b)(4) CBI
Attorney	(b)(4) CBI
Civil Investigator	(b)(4) CBI
Data Entry Clerk	(b)(4) CBI
Engineer	(b)(4) CBI
Environmental Analyst	(b)(4) CBI
Financial Analyst	(b)(4) CBI
Financial Manager	(b)(4) CBI
Paralegal Specialist	(b)(4) CBI
Program Manager	(b)(4) CBI
Project Manager	(b)(4) CBI
Research Analyst	(b)(4) CBI
Sr. Environmental Analyst	(b)(4) CBI
Title Abstractor	(b)(4) CBI
QA/ QC Manager	(b)(4) CBI
Community Rel. Specialist	(b)(4) CBI
TOTAL - LABOR	(b)(4) CBI \$28,717.79
OTHER DIRECT COSTS	
	<u>Rate Units Costs</u>
Travel: Local Mileage	\$ (b)(4) CBI
Travel: Local Parking	(b)(4) CBI
Travel - Extended Stay (see Y1 Travel tab)	(b)(4) CBI
ODC Detail (local copies charges, corporate documentation charges)	(b)(4) CBI
Reproduction - Copies (B&W)	\$ (b)(4) CBI
Reproduction - Copies (Color)	\$ (b)(4) CBI
Office Supplies	(b)(4) CBI
Equipment / Rent Cost	(b)(4) CBI
Other (Telephone, etc.)	(b)(4) CBI
Postage & Mailings	(b)(4) CBI
Subtotal - ODCs	\$805.58
Subcontracts and Handling (S&H)	(b)(4) CBI
TOTAL - ODCs	\$805.58
SUBCONTRACTS	
TechLaw	\$0.00
Title Company	\$0.00
Appraiser	\$0.00
Surveyor	\$0.00
Investigator / Transcription	\$0.00
Subtotal - SUBCONTRACTS	\$0.00
Subcontracts and Handling (S&H)	\$0.00
TOTAL - SUBCONTRACTS	\$0.00
TOTAL TARGET PRICE	\$29,523.37

Labor Summary by Task		
	<u>Hours</u>	<u>Total</u>
Management	(b)(4) CBI	(b)(4) CBI
Task 1	(b)(4) CBI	(b)(4) CBI
Task 2	(b)(4) CBI	(b)(4) CBI